

FILED

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RICHARD W. WIERING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

E-filing

JSW

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

ERIC LOCKHART

Plaintiff,

vs.

Defendant.

TONY HEDGPETH (WARDEN)

CV 08

2935

CASE NO. \_\_\_\_\_

PRISONER'S  
APPLICATION TO PROCEED  
IN FORMA PAUPERIS

JSW

(PR)

I, ERIC LOCKHART, declare, under penalty of perjury that I am the plaintiff in the above entitled case and that the information I offer throughout this application is true and correct. I offer this application in support of my request to proceed without being required to prepay the full amount of fees, costs or give security. I state that because of my poverty I am unable to pay the costs of this action or give security, and that I believe that I am entitled to relief.

In support of this application, I provide the following information:

1. Are you presently employed? Yes \_\_\_ No x

If your answer is "yes," state both your gross and net salary or wages per month, and give the name and address of your employer:

Gross: \_\_\_\_\_ Net: \_\_\_\_\_

Employer: \_\_\_\_\_

1 If the answer is "no," state the date of last employment and the amount of the gross and net  
 2 salary and wages per month which you received. (If you are imprisoned, specify the last  
 3 place of employment prior to imprisonment.)

4 N/A

5  
 6  
 7 2. Have you received, within the past twelve (12) months, any money from any of the  
 8 following sources:

- 9 a. Business, Profession or Yes \_\_\_ No X  
 10 self employment  
 11 b. Income from stocks, bonds, Yes \_\_\_ No X  
 12 or royalties?  
 13 c. Rent payments? Yes \_\_\_ No X  
 14 d. Pensions, annuities, or Yes \_\_\_ No X  
 15 life insurance payments?  
 16 e. Federal or State welfare payments, Yes \_\_\_ No X  
 17 Social Security or other govern-  
 18 ment source? NO

19 If the answer is "yes" to any of the above, describe each source of money and state the amount  
 20 received from each.

21  
 22

23 3. Are you married? Yes \_\_\_ No X

24 Spouse's Full Name: \_\_\_\_\_

25 Spouse's Place of Employment: \_\_\_\_\_

26 Spouse's Monthly Salary, Wages or Income:

27 Gross \$ \_\_\_\_\_ Net \$ \_\_\_\_\_

28 4. a. List amount you contribute to your spouse's support: \$ \_\_\_\_\_

1           b.     List the persons other than your spouse who are dependent upon you for  
 2                 support and indicate how much you contribute toward their support. (NOTE:  
 3                 For minor children, list only their initials and ages. DO NOT INCLUDE  
 4                 THEIR NAMES.).

5 \_\_\_\_\_  
 6 \_\_\_\_\_  
 7     5.     Do you own or are you buying a home?                                 Yes \_\_\_\_ No X

8     Estimated Market Value: \$ Ø                                 Amount of Mortgage: \$ Ø

9     6.     Do you own an automobile?   Yes \_\_\_\_ No X

10    Make \_\_\_\_\_ Year \_\_\_\_\_ Model \_\_\_\_\_

11    Is it financed? Yes \_\_\_\_ No \_\_\_\_ If so, Total due: \$ \_\_\_\_\_

12    Monthly Payment: \$ \_\_\_\_\_

13    7.     Do you have a bank account? Yes \_\_\_\_ No X (Do not include account numbers.)

14    Name(s) and address(es) of bank: \_\_\_\_\_

15    \_\_\_\_\_

16    Present balance(s): \$ \_\_\_\_\_

17    Do you own any cash? Yes \_\_\_\_ No X Amount: \$ \_\_\_\_\_

18    Do you have any other assets? (If "yes," provide a description of each asset and its estimated  
 19    market value.) Yes \_\_\_\_ No X

20    \_\_\_\_\_

21    8.     What are your monthly expenses?

22    Rent: \$ Ø   Utilities: Ø

23    Food: \$ Ø   Clothing: Ø

24    Charge Accounts:

25    Name of Account                                 Monthly Payment                                 Total Owed on This Acct.

26    \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_

27    N/A   \$ N/A   \$ N/A

28    \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_

1 9. Do you have any other debts? (List current obligations, indicating amounts and to  
2 whom they are payable. Do not include account numbers.)  
3 \_\_\_\_\_  
4 \_\_\_\_\_

5 10. Does the complaint which you are seeking to file raise claims that have been presented  
6 in other lawsuits? Yes \_\_\_\_ No X

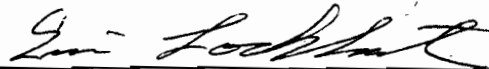
7 Please list the case name(s) and number(s) of the prior lawsuit(s), and the name of the court in  
8 which they were filed. N/A  
9 \_\_\_\_\_  
10 \_\_\_\_\_

11 I consent to prison officials withdrawing from my trust account and paying to the court  
12 the initial partial filing fee and all installment payments required by the court.

13 I declare under the penalty of perjury that the foregoing is true and correct and  
14 understand that a false statement herein may result in the dismissal of my claims.  
15

16 7/15/2008

17 DATE



SIGNATURE OF APPLICANT

Case Number: CV 08 2935 JSW(PR)

**CERTIFICATE OF FUNDS**

**IN**

**PRISONER'S ACCOUNT**

I certify that attached hereto is a true and correct copy of the prisoner's trust account statement showing transactions of Lockhart, Eric V19246 for the last six months

Kern Valley State Prison <sup>[prisoner name]</sup> where (s)he is confined.  
<sub>[name of institution]</sub>

I further certify that the average deposits each month to this prisoner's account for the most recent 6-month period were \$ 10.15 and the average balance in the prisoner's account each month for the most recent 6-month period was \$ 103.

Dated: 7/17/08

[Signature]  
[Authorized officer of the institution]

REPORT ID: TS3030 .701

REPORT DATE: 07/16/08

PAGE NO: 1

## CALIFORNIA DEPARTMENT OF CORRECTIONS

KERN VALLEY STATE PRISON

INMATE TRUST ACCOUNTING SYSTEM

INMATE TRUST ACCOUNT STATEMENT

FOR THE PERIOD: JAN. 01, 2008 THRU JUL. 16, 2008

ACCOUNT NUMBER : V17246

BED/CELL NUMBER: FBB300000000104U

ACCOUNT NAME : LOCKHART, ERIC

ACCOUNT TYPE: I

PRIVILEGE GROUP: A

## TRUST ACCOUNT ACTIVITY

DATE	CODE	DESCRIPTION	COMMENT	CHECK NUM	DEPOSITS	WITHDRAWALS	BALANCE
01/01/2008		BEGINNING BALANCE					0.00
01/07*VD54		INMATE PAYROL 1019DEC193			11.45		11.45
01/15 W536		COPAY CHARGE 1089/DDS				5.00	6.45
01/30 W509		LIBRARY DUE T 1181/LIBRA				0.25	6.20
03/06*VD54		INMATE PAYROL 1399/FEB76			6.53		12.73
03/06*VD54		INMATE PAYROL 1399/FEB78			3.16		15.89
03/06*VD54		INMATE PAYROL 1403JAN252			6.53		22.42
03/11 FC02		DRAW-FAC 2 1429/FB2D				20.00	2.42
03/27 W536		COPAY CHARGE 1550/DDS				2.42	0.00
04/04*VD54		INMATE PAYROL 1577MAR177			8.15		8.15
04/09 FC02		DRAW-FAC 2 1609/FB2D				8.15	0.00
05/06*VD54		INMATE PAYROL 1786APR90			9.04		9.04
05/12 W512		LEGAL POSTAGE 1813/LPOST				5.70	3.34
05/13 FC02		DRAW-FAC 2 1836/FB2D				3.34	0.00
06/05*VD54		INMATE PAYROL 1967/MAY99			8.83		8.83
06/09 FC02		DRAW-FAC 2 1984/FBALL				8.83	0.00
07/08*VD54		INMATE PAYROL 0036JUN174			7.23		7.23
07/10 W516		LEGAL COPY CH 0053/LCOPY				0.40	6.83
07/10 W509		LIBRARY DUE T 0053/LIBRA				0.75	6.08
07/15 FC02		DRAW-FAC 2 0077/FB2D				6.08	0.00

## \* RESTITUTION ACCOUNT ACTIVITY

DATE SENTENCED: 12/12/03

CASE NUMBER: \*139400

COUNTY CODE: \*ALA

FINE AMOUNT: \$ 4,978.00

DATE	TRANS.	DESCRIPTION	TRANS. AMT.	BALANCE
01/01/2008		BEGINNING BALANCE		4,656.36
01/07/08	VR54	RESTITUTION DEDUCTION-SUPPORT	12.72-	4,643.64



THE WITHIN INSTRUMENT IS A  
CORRECT COPY OF THE TRUST  
ACCOUNT MAINTAINED BY THIS OFFICE.  
ATTEST:

CALIFORNIA DEPARTMENT OF  
CORRECTIONS AND REHABILITATION

BY [Signature]  
TRUST OFFICE

ID: TS3030 .701

REPORT DATE: 07/16/08

PAGE NO: 2

KERN VALLEY STATE PRISON  
INMATE TRUST ACCOUNT STATEMENT

FOR THE PERIOD: JAN. 01, 2008 THRU JUL. 16, 2008

ACCT: V17246 ACCT NAME: LOCKHART, ERIC

ACCT TYPE: I

## \* RESTITUTION ACCOUNT ACTIVITY

DATE SENTENCED: 12/12/03  
COUNTY CODE: \*ALACASE NUMBER: \*139400  
FINE AMOUNT: \$ 4,978.00

DATE	TRANS.	DESCRIPTION	TRANS. AMT.	BALANCE
03/06/08	VR54	RESTITUTION DEDUCTION-SUPPORT	7.24-	4,636.40
03/06/08	VR54	RESTITUTION DEDUCTION-SUPPORT	3.51-	4,632.89
03/06/08	VR54	RESTITUTION DEDUCTION-SUPPORT	7.24-	4,625.65
04/04/08	VR54	RESTITUTION DEDUCTION-SUPPORT	9.04-	4,616.61
05/06/08	VR54	RESTITUTION DEDUCTION-SUPPORT	10.03-	4,606.58
06/05/08	VR54	RESTITUTION DEDUCTION-SUPPORT	9.81-	4,596.77
07/08/08	VR54	RESTITUTION DEDUCTION-SUPPORT	8.03-	4,588.74

\* THIS STATEMENT DOES NOT REFLECT THE ADMINISTRATIVE FEE CHARGE THAT \*

\* IS EQUAL TO TEN PERCENT OF THE RESTITUTION AMOUNT COLLECTED. \*

## TRUST ACCOUNT SUMMARY

BEGINNING BALANCE	TOTAL DEPOSITS	TOTAL WITHDRAWALS	CURRENT BALANCE	HOLDS BALANCE	TRANSACTIONS TO BE POSTED
0.00	60.92	60.92	0.00	0.00	0.00

CURRENT  
AVAILABLE  
BALANCE

0.00



THE WITHIN INSTRUMENT IS A  
CORRECT COPY OF THE TRUST  
ACCOUNT MAINTAINED BY THIS OF  
ATTEST:

CALIFORNIA DEPARTMENT OF  
CORRECTIONS AND REHABILITATION  
BY Y. S. [Signature]  
TRUST OFFICE



ERIC LOCKHART V-17246  
KERN VALLEY STATE PRISON  
B3-104 up  
P.O.BOX 5102  
Delano, CA 93216

CASE# CV 08 2935 JSW(PR)

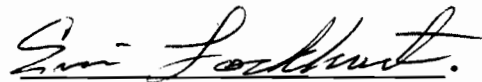
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US DISTRICT COURT  
450 GOLDEN GATE AVE  
P.O.BOX 36060  
SAN FRANCISCO, CA 94102-9680

**ATTENTION CLERK:**

I received an In Forma Pau~~p~~ris Application in the mail on July 14, 2008. The post date on the envelope was July 8, 2008 I'm enclosing a copy of the envelope with the completed In forma Pauperis Application, showing that I sent it back within 30 days after receiving it.

RESPECTFULLY SUBMITTED,

A handwritten signature in cursive script, appearing to read "Eric Lockhart", is written over a horizontal line.

ERIC LOCKHART